IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO : 6250 of 2005

Between:

1 Ramreddy Konapally, S/o.Buchireddy,
R/o.1-1B, Amaravaili village, Kothapalli Mandal, East Godavari Dist.
2 Shankar Rao Dalli, S/o.Veerraju,
R/o.1-25C, Amaravilli Village, Kothapalli Mandal,
East Godavari District.
3 Satyanarayana Reddy Konapally, S/o.Dhanayya Reddy,
R/o.1-69/1, Amaravilli village,
Kothapalli Mandal, East Godavari District.

..... PETITIONERS

AND

1 The Gram Panchayat Electoral officer and District Panchayat Officer, Kakinda, East Godavari Dist.
2 The Revenue Divisional officer, Kakinada, East Godavari District.
3 The Mandal Revenue officer, Kothapalli Mandal, Krishna District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring action of the respondents in seeking to conduct elections to the post of Sarpanch, Amaravilli Gram Panchayat, Kothapalli Mandal, East Godavari District, without updating the voters list, as contrary to the A.P.Panchayat Raj (Preparation and publication of Electoral Rolls) Rules, 2000 and also contrary to the rules made in G.O.Ms. No.755, dated

30-11-1994, G.O.Ms.No.879, dated 3-12-1994 and G.O.Ms.No.898, dated 10-12-1994 and consequently direct the respondents not to issue election notification until the objections submitted by petitioner in Form-2 for inclusion of their names in the voters list is finalised following due process of law.

Counsel for the Petitioners: MR.C.V.R.RUDRA PRASAD

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following:

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ORDER:

The case of the petitioners is that though their names were included in the voters list of 2001, their names were deleted in the voters list of 2004, and so they made an application to the competent authority i.e., the second respondent, for inclusion of their names in the voters list, and that the second respondent, without taking any action on the said application, is dodging the matter to cause wrongful loss to them, and since the elections to the Gram Panchayats are likely to be announced shortly,

if, without disposing of their application, the elections are announced, their right of exercise of franchise would be lost, and so appropriate direction may be given to the respondents to dispose of the application, for inclusion of their names in the voters list.

In the circumstances stated, the respondents are directed to process the application of the petitioners, said to have been filed on 07-03-2005, as per Rule 6 of the Andhra Pradesh Panchayat Raj (Preparation and Publication of Electoral Rolls) Rules, 2000 made in G.O.Ms.No.254, Panchayat Raj and Rural Development (Election) dated

4th August 2001 as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this order and are directed not to issue election notification in respect of the Gram panchayat of the village of the petitioners till the Electoral Roll is finalized, as per the Rules.

The writ petition is ordered accordingly. No order as to costs.

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(C.Y.SOMAYAJULU, J)

Dated April 12, 2005.

YCR

To

1 The Gram Panchayat Electoral officer and District Panchayat Officer, Kakinda, East Godavari Dist.
2 The Revenue Divisional officer, Kakinada, East Godavari District.
3 The Mandal Revenue officer, Kothapalli Mandal, Krishna District.

4. 2 CCs to G.P. for Panchayat Raj and Rural Development, High court Buildings, Hyderabad. (OUT)

5. 2 CD copies.